

**IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF NEW YORK**

SEAN FLYNN, DEAN KARLAN, JONATHAN
MORDUCH, DAVID MYERS and JEAN TWENGE,
individually and on behalf of all
others similarly situated,

Plaintiff,

v.

MCGRAW HILL LLC and MCGRAW HILL
EDUCATION, INC.,

Defendants.

Civ. No. 1:21-cv-0614-LGS

Civ. No. 1:21-cv-1141-LGS

**NOTICE OF MOTION
TO DISMISS THE
AMENDED COMPLAINT**

PLEASE TAKE NOTICE that Defendants McGraw Hill LLC and McGraw Hill Education, Inc. (together, “McGraw Hill”), by and through their attorneys, Patterson Belknap Webb & Tyler LLP, will and do hereby move this Court before the Honorable Judge Lorna G. Schofield, at the United States District Court for the Southern District of New York, Courtroom 1106, 500 Pearl Street, New York, New York 10007, for an Order under Federal Rules of Civil Procedure 12(b)(6) dismissing the Consolidated Amended Complaint of Plaintiffs Sean Flynn, Dean Karlan, Jonathan Morduch, David Myers, and Jean Twenge (“Plaintiffs”) with prejudice, and for such other relief as the Court deems just and proper. McGraw Hill’s Motion is based on this Notice of Motion, the accompanying Memorandum of Law in Support, the Declaration of Saul B. Shapiro, all exhibits attached thereto, and all pleadings and evidence properly before the Court in this matter.

Plaintiffs’ response is due by June 15, 2021, and reply papers are due by June 29, 2021. If the Court is inclined to hear oral argument, as McGraw Hill believes may be helpful to the Court, a hearing on this matter will be held at a date and time so designated by the Court.

Dated: May 18, 2021

/s/ Catherine A. Williams

Catherine A. Williams

Saul B. Shapiro

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